TRANSPORTATION MITIGATION PRACTICES & POLICIES

December 9, 2016

Austin Transportation Department
& Development Services Department

Transportation Code Amendments

- Presentations and Outreach
  - Planning Commission/Zoning and Platting Commission Joint meeting (3/29)
  - Austin Contractors and Engineers Symposium (4/14)
  - Planning Commission Codes & Ordinances (4/19)
  - Full Planning Commission recommendation (4/26)
  - Stakeholders' meeting (5/9)
  - Consultants' meeting (5/31)
  - Planning Commission/Zoning and Platting Commission Joint meeting (11/29)
  - Public Forum (12/9)

Agenda

- TIA Guidelines

- Draft Transportation Code Amendment

- Rough Proportionality

- Discussion/Questions

4 TIA Guidelines

TIA Guidelines – History

- Released Draft in August 2016
- Received Feedback and Revised Guidelines
- Released New Draft This Week
- Collecting Feedback Through December 31, 2016

TIA Guidelines – Overview

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- System and Site Improvements

- Process and Requirements Updates

- Pro Rata Methodology

- Possible Future Code Changes for TIAs

System and Site Improvements

- Site Improvements
  - Critical to operation of development
    - E.g., new lane or signal adjacent to development
  - Applicant required to fund and construct
- System Improvements
  - Improvement or facility that is not a site improvement but identified as an impact
  - Applicant expected to fund contribution per pro rata share

Process and Requirements Updates

- Technical Review Committee
  - More frequent meetings to review submittals
  - Provide improvements in lieu of TIA
- Mixed-use Trip Generation Methods Allowed
- Lower LOS Acceptable in Urban Core
- Safety and Sight Distance Analysis
- Itemized, Comprehensive Cost Estimates
- Pro Rata Costs Aggregated for Improvements
- Scope Co-Signed by Engineer

Process and Requirements Updates

- Guidance on Study Intersections
  - Those providing direct access to site
  - Those with arterials and highways within ½ mile of site
  - Those farther than ½ mile for regional-scale projects
  - Those of all street types with existing operational or safety issues

Pro Rata Share – Current Practice

- Pro Rata Share (Overall Intersection)
  - Based on relationship between development's projected traffic and non-development traffic on network
  - Historical practice to assess applicant's share of cost participation
  - Use and methodology not codified and no longer accepted
- Pro Rata Share (Critical Movement)
  - Methodology established in 2016
  - Compares No-Build to Build (No-Build + Site) conditions
  - Critical movement is most negatively affected by site trips
  - More accurate assessment of development's impact on network

Pro Rata Example #1: Additional Lane

Forecasted

Street A

	Right	Thru	Left
	80	650	30

30	Right
35	Thru
25	Left

Street B

1240

Left	150
Thru	90
Right	200

90	790	60
Left	Thru	Right

Site

Street A

	Right	Thru	Left
	15	0	0

0	Right
8	Thru
0	Left

98

Left	40
Thru	20
Right	30

20	0	10
Left	Thru	Right

Pro Rata (%) =
Site/(Forecasted + Site)

Street A

	Right	Thru	Left
	16%	0%	0%

0%	Right
19%	Thru
0%	Left

Left	21%
Thru	18%
Right	13%

18%	0%	14%
Left	Thru	Right

21% = 40/(150+40)

$150,000 (Left Turn)
X 21% (Pro Rata)

$31,500

Pro Rata Example #2: New Signal

Forecasted

Street A

	50	Right
	350	Thru
	25	Left

Right	Thru	Left
25	10	55

Street B — 840

	Left	45
	Thru	400
	Right	100

5	10	5
Left	Thru	Right

Site

Street A

	25	Right
	0	Thru
	0	Left

Right	Thru	Left
15	0	45

35

	Left	25
	Thru	0
	Right	0

0	10	0
Left	Thru	Right

Pro Rata (%) =
Site/(Forecasted + Site)

Street A

	33%	Right
	0%	Thru
	0%	Left

Right	Thru	Left
38%	0%	45%

	Left	36%
	Thru	0%
	Right	0%

0%	50%	0%
Left	Thru	Right

45% = 45/(55+45)

$250,000 (Signal)
X 45% (Pro Rata)

$112,500

Exceptions to Pro Rata

- Pro Rata share is considered the equitable target to determine cost of improvements
- Greater than pro rata limited to the following:
  - Clear safety risk to public if improvements not made
  - Study location identified as having a high crash rate
  - Detrimental impact to network operations if improvements not made
  - ROW dedication favorable to network improvements

TIA Guidelines – Comments

- "Need to add something in the TIA Guidelines about where a TIA is required."
  - → *Where a TIA is required is defined in Code; will be addressed with CodeNEXT.*
- "Page 12 of 14 – says to mitigate <u>Existing conditions</u> instead of <u>No Build</u> conditions."
  - → *This was an error and has been corrected in the current draft.*

TIA Reform – Future Code Changes

- ☐ Independent Review of COA's Code
  - ☐ Compared to national best practice
- ☐ Minimum Threshold for Study
  - ☐ Modify threshold
  - ☐ Base on peak-hour trips
- ☐ New Metrics to Assess Impacts
  - ☐ Vehicle-Miles Traveled
  - ☐ Multi-modal integration
- ☐ Transportation Demand Management

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Transportation Code Amendment (LDC 25-6)

Transportation Code Amendments

- Mitigation Ordinance
  - Planning Commission's Action in 2015
  - Modify Code Chapter 25-6
  - Identify Improvements in Lieu of TIA/NTA
  - System Transportation Improvements
    - Authorize staff to require construction
    - Allow payment of fee in-lieu
    - Accommodates future code for system mitigation

Transportation Code Amendments

- Modifications to LDC Chapter 25-6
  - Defines Transportation Plan, System, Improvements
  - Codifies Requirement for Proportionality Determinations
    - System ROW and transportation improvements
    - Bring City's process into compliance with LGC § 212.904
  - Clarifies ROW Reservation & Dedication
    - Authorizes as condition to development approval
    - Authorizes dedication requirements for improvements to support all modes of travel
    - Proposed determinations required for system ROW

Mitigation Options: No TIA or NTA

- Clarifies that the director may require mitigation for development that does not require a TIA or a NTA

- Without a TIA or NTA, required system improvements may not be further than from the proposed development than:
  - one-quarter mile; or
  - three-fourths of a mile for an improvement required to provide access between the proposed development and a school, bus stop, public space, or major street

Mitigation Options: No TIA or NTA

- Required System Improvements Are Limited to:
  - Sidewalks and curb ramps;
  - Traffic signs, markings, and upgrades to signal infrastructure;
  - Traffic calming devices;
  - Bicycle lanes and upgrades to bicycle facilities;
  - Rectangular rapid flashing beacons;
  - Pedestrian refuge islands;
  - Pedestrian hybrid beacons;
  - Measures to limit transportation demand; and
  - Other measures previously identified through administrative programs

Mitigation Options: No TIA or NTA

- Tied to Transportation Plans and Engineering Studies
  - Master plans, administrative programs
  - List of publicly available references
- Focused Adjacent to Site
  - Within boundaries of site
  - Extend if improvement has more appropriate location or logical terminus
- Improvements Reviewed by Committee
  - Requirements based on plans and studies

Code Amendment - Comments

- "How will these changes address predictability or the lack of cost certainty for developers?"

  → *By defining improvements and the plans that identify them...and having staff review scoping documents for developments under the trip threshold for a TIA, developers will have more information about the mitigation required prior to TIA determination form*

Code Amendment - Comments

□ "Will the Neighborhood Housing and Community Development Office provide an affordability impact statement on these amendments?"

→ *Yes, this statement will be provided to Council for their consideration in approval of these amendments*

Rough Proportionality

Austin's Standard Practice

- Border Street Policy
  - Require right-of-way (ROW)
  - Require partial street construction per Austin Metropolitan Area Transportation Plan (AMATP)
- Traffic Impact Mitigation
  - Intersection improvements, turn lanes, etc.
  - Pro-rata share for development-generated traffic
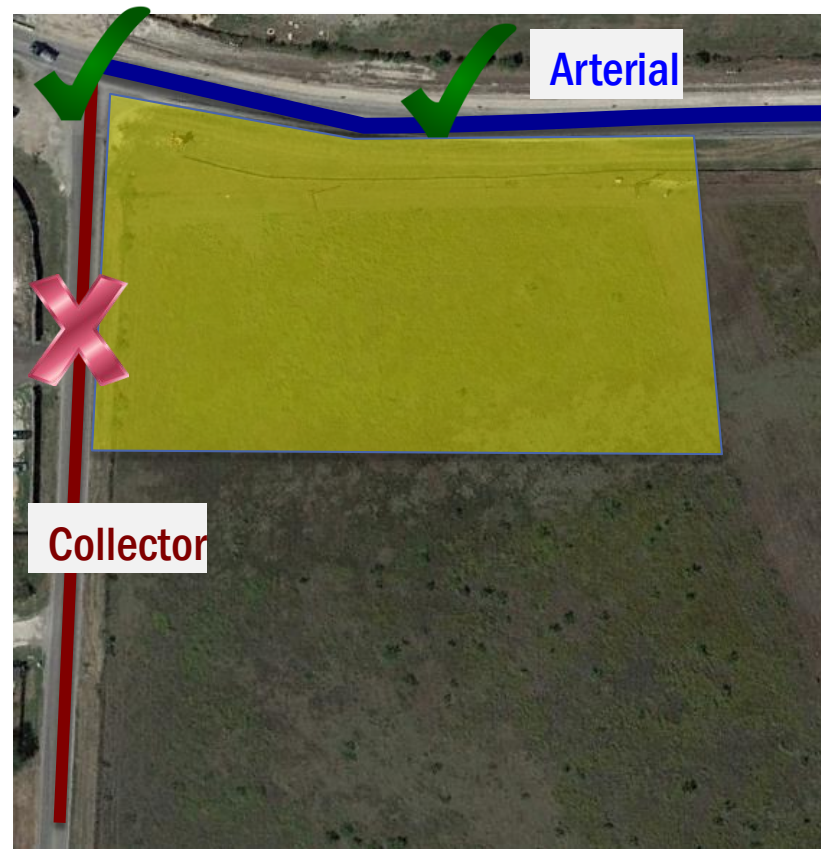
Rough Proportionality

- What Applies?
  - Requirements, not design standards
    - Right-of-way/easement, boundary street construction, intersection improvements, fiscal in lieu
  - Part of typical development approval process
- How is Rough Proportionality Determined?
  - Compare the peak hour **demand created** by development to the **supply required** by City/County
  - Spreadsheet tool
    - Compares demand and supply
    - Can be completed prior to submittal for RP max
  - Same approach to HB 1835 as ~30 other TX cities

Rough Proportionality

What is 'Rough Proportionality'?

A. Legal Principle ✔

B. Fairness Check ✔

C. Calculation Tool ✔

D. City Policy/Rule ✘

Rough Proportionality

How is Rough Proportionality Determined?

☐ Transportation Demand

- ▪ *Generated by Development*
- ▪ Land Use Type
- ▪ Intensity
- ▪ Peak Hour Trip Rate & Length

☐ Transportation Supply

- ▪ *Required by City/County*
- ▪ Roadway Classification
- ▪ Length
- ▪ Cross-Section
- ▪ Intersection Improvements
- ▪ Right-of-Way

Vehicle Miles Traveled (VMT) ≈ $2,276/VMT ≈ $1.6M/lane mile ≈ Construction Cost
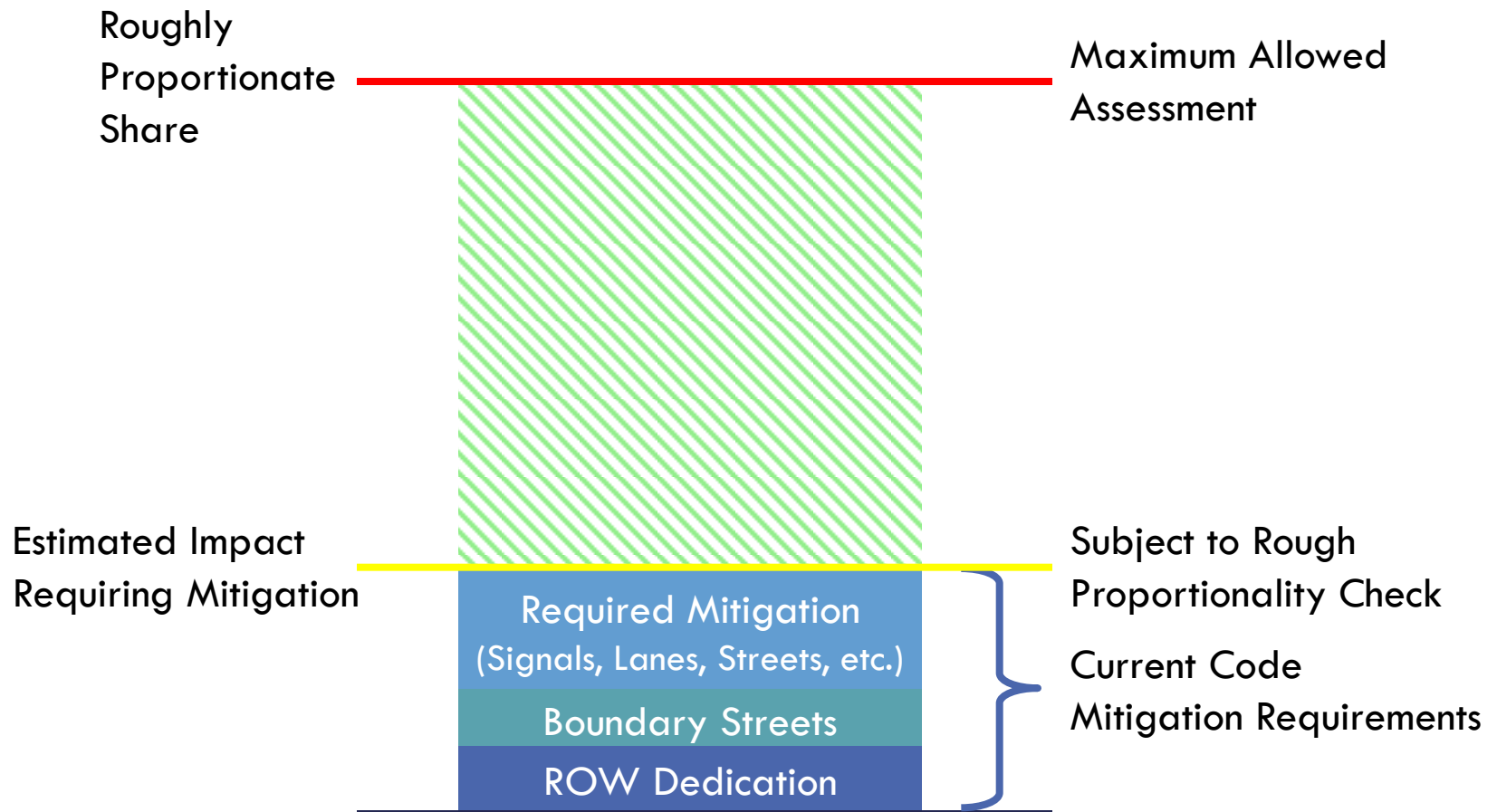
Rough Proportionality – Comments

- "Need more transparency on how the roughly proportional share per vehicle trip been calculated; what collected fees will be used for; what the City intends to construct."

  → *Vehicle trip cost based on average cost per vehicle-mile of roadway in Austin, including costs for construction, engineering and administration, and right-of-way*

  → *The City determines improvements to adequately mitigate impacts as provided in a TIA*

  → *In lieu of TIA, the City uses transportation plans and studies*

Rough Proportionality – Comments

- "Why is the rough proportionality calculation based on costs for infrastructure that has already been built?"
  - → *Existing costs are the best estimate of costs*
  - → *Based on City's bid costs for similar improvements*
  - → *City's responsibility to update costs included in the rough proportionality worksheet*

Roughly Proportionate Share – Relationship to Other Mitigation Tools

Roughly Proportionate Share

Maximum Allowed Assessment

Estimated Impact Requiring Mitigation

Subject to Rough Proportionality Check

Required Mitigation (Signals, Lanes, Streets, etc.)

Boundary Streets

ROW Dedication

Current Code Mitigation Requirements

Mitigation Tools

- Individualized Determination
  - Outlined in City Code
  - Traffic Impact Analysis
  - Rough proportionality assessment
  - Must be done for each applicant
- Impact Fee Ordinance
  - Determine the proportional share for all future development
  - Can still require TIA
  - Must 'credit' a developer's impact fee for construction of system improvements

Next Steps

- TIA Guidelines
  - Feedback from forum & online comments
    - http://austintexas.gov/page/c2o-2015-008-traffic-mitigation
  - Publish final guidelines in early 2017
- Code Amendment
  - Feedback from forum & online comments
  - Set Council date for March 2, 2017
- Street Impact Fee
  - Stakeholder meetings
  - Technical Analysis

Questions